



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217)782-2829

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

217/524-3300

JUL 08 2013

Illinois Railway LLC
Attention: Ken Rose
430 West Madison Street
Ottawa, Illinois 61350

Re: LPC #0998995017 -- LaSalle County
Wedron / Illinois Railway, LLC
Intesection of East 2153rd Road (Hwy 11) and North 3462nd Road (Hwy 21)
Leaking UST Incident #20130463
Leaking UST Technical File

Dear Mr. Rose:

The Illinois Environmental Protection Agency (Illinois EPA) is in receipt of the 45 Day Report, submitted for the above-referenced incident. This report was dated June 14, 2013 and was received by the Illinois EPA on June 19, 2013. In the report, it is indicated that the incident was reported due to a release from an underground storage tank(s) (UST) taken out of operation before January 2, 1974.

Pursuant to the Illinois Pollution Control Board's February 2, 2006, order in the case of Freedom Oil Company v. Illinois Environmental Protection Agency, PCB 03-54, PCB 03-56, PCB 03-105, PCB 03-179, and PCB 04-2 (consolidated), releases from underground storage tanks taken out of operation before January 2, 1974, are not subject to mandatory corrective action under the Leaking UST Program unless the Office of the State Fire Marshal issues an order under Section 57.5(g) of the Environmental Protection Act (Act) based on a current or potential threat to human health and the environment. Freedom Oil Company v. Illinois Environmental Protection Agency, PCB 03-54, PCB 03-56, PCB 03-105, PCB 03-179, and PCB 04-2 (consolidated), 2006 WL 381850 at *55 (Ill. Poll. Control Bd. February 2, 2006). The OSFM has not issued an order under Section 57.5(g) of the Act based on a current or potential threat to human health or the environment. Therefore, at this time the release is not subject to mandatory corrective action under the Leaking UST Program.

If you wish to pursue a No Further Remediation Letter for the above-referenced release, you may do so through the Illinois EPA's Leaking Underground Storage Tank Program or Site Remediation Program. For information about the Site Remediation Program, please contact the project manager on-call in the Site Remediation Program at 217/524-3300.

IEPA - DIVISION OF RECORDS MANAGEMENT
RELEASABLE

JUL 10 2013

REVIEWER ME

4302 N. Main St., Rockford, IL 61103 (815) 987-7760
595 S. State, Elgin, IL 60123 (847) 608-3131
2125 S. First St., Champaign, IL 61820 (217) 278-5800
2009 Mall St., Collinsville, IL 62234 (618) 346-5120

9511 Harrison St., Des Plaines, IL 60016 (847) 294-4000
5407 N. University St., Arbor 113, Peoria, IL 61614 (309) 693-5462
2309 W. Main St., Suite 116, Marlon, IL 62959 (618) 993-7200
400 W. Randolph, Suite 10-300, Chicago, IL 60601 (312) 814-6026

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If you have any questions or need further assistance regarding the Illinois EPA's Leaking UST Program, please contact Eric Kuhlman, at 217-785-5715.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry A. Chappel". The signature is fluid and cursive, with the first name "Harry" being more prominent than the last name "Chappel".

Harry A. Chappel, P.E.

Unit Manager

Leaking Underground Storage Tank Section

Division of Remediation Management

Bureau of Land

HAC:EK:P\

c: Schrack Environmental Consulting, Inc.
 BOL File